

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18032 - APPLICANT/OWNER: VIOLET SAHAKYAN

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for the Site Development Plan Review (SDR-6018) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

4. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of an Occupancy Permit for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a Child Care Center adjacent to the southeast corner of North Jones Boulevard and Washburn Road. An approved Special Use Permit (SUP-6020) expired in April 2006 for this site due to a one-year time limitation. The Site Development Plan Review (SDR-6018), which has a two-year approval, is still valid.

The applicant intends the proposed childcare center to provide day care services while providing an attractive, aesthetically pleasing new structure to compliment the neighborhood. This request conforms to the Site Development Plan Review (SDR-6018) and the use is compatible with the surrounding area. Staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/06/05	The City Council approved a request for a Site Development Plan Review (SDR-6018) and Special Use Permit (SUP-6020) for a proposed Child Care Center. The Planning Commission and staff had recommended approval of both items.
12/21/06	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #9/rts).
<i>Related Building Permits/Business Licenses</i>	
08/25/06	A business license for a N16 (Child Care Center - Preschool - Nursery - Combination of a child care center (N10), a nursery for infants and toddlers (N12), and a preschool (N13) category license was processed in. This license (N16-97625) was denied by the Planning and Development Department, on 09/05/06, pending approval of a new Special Use Permit as the prior approval (SUP-6020) expired on 04/06/06.
07/19/06	A building permit application, plan check C-193-06, was submitted 01/17/06. The permit was issued 07/19/06. The Planning and Development Department review began 02/22/06 and recorded approval on 07/11/06.
<i>Pre-Application Meeting</i>	
10/18/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the project must comply with all conditions of approval for the Site Development Plan Review (SDR-6018). Additionally, the applicant was informed that due to the approval of an annexation (ANX-6493) case effective 08/11/05 this location no longer needed the Project of Regional Significance forms as a part of the application. Submittal requirements were discussed.

<i>Neighborhood Meeting</i>
<p>A neighborhood meeting is not required nor was one held. However, one was held prior to the previous Special Use Permit's (SUP-6020) approval. A neighborhood meeting was held on February 25, 2005 at the Lamb of God Lutheran Church located at 6220 North Jones Boulevard, where there were five (5) people in attendance representing neighborhood interests. At the meeting the following items were discussed:</p> <ol style="list-style-type: none"> 1. Neighborhood traffic concerns as well as perceived adverse impacts of the site development; 2. The hours of operations and the ages of the children being served; 3. The tree size of the proposed site landscaping; <p>The neighbors expressed concerns about the possible traffic impact the learning center would have on Washburn Road. The suggestion was made that possibly both driveways entering and exiting the site is located along Jones Boulevard. The attendees also expressed concerns about the proposed landscaping, specifically the size of the proposed trees that are to be planted around the perimeter of the site. It was stated that a 24-inch box tree may be too small and the size may need to be increased to help screen the site better. No specific detail was proposed on what size those trees should be. It was also discussed the possibility of an opening being placed in the median along Jones Boulevard to allow southbound traffic from Jones Boulevard to make a left hand turn into the learning center site. It was discussed that this may be possible, but there may not be enough room between Washburn Road and a proposed left hand turn lane to not interfere with traffic flow. Lastly there were concerns about traffic impacts and drainage impacts.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.15
Net Acres	2.07

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	R-E (Residential Estate)
North	Single-family Residential	L (Low Density Residential)	R-D (Residential-Restricted)
South	Single-family Residential	R (Rural Density Residential)	R-E (Residential Estate)
East	Single-family Residential	R (Rural Density Residential)	R-E (Residential Estate)
West	Single-family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
A-O Airport Overlay District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Child Care Center	n/a	1 Space / Staff Member & 1 Space / 10 Children	68	3	68	3	Y
TOTAL (including handicap)			68		68		

ANALYSIS

The site is designated R (Rural Residential) on the Centennial Hills Map General Plan. This designation allows for rural to semi-rural residential lots, which allows up to 3.5 dwelling units per acre. The current R-E (Residential Estate) zoning does conform to the R (Rural Density Residential), which will allow for a Child Care Center use with the approval of a Special Use Permit. There are no base conditions for approval of a Special Use Permit for a Child Care Center use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

A Child Care Center by definition is a commercial facility in which the licensee regularly provides day or overnight care for more than 12 children. The facility is subject to the childcare regulations and standards of the Department of Business Activity. The proposed Child Care Center is an allowed use with the approval of this Special Use Permit. There are no other Child Care Center's within the notification radius.

This site is within the Rural Preservation Neighborhood Overlay (RPN) buffer. The proposed project does not affect the allowable density and does not impact the rural preservation neighborhood standards as outlined in Title 19.06.150.

The site is within the North Las Vegas Airport Overlay Map portion of the Airport Overlay District. The submitted elevations are in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The parking standard for a Child Care Center is one space for each staff member plus one space for each 10 students at peak capacity. The site will have sufficient parking for the proposed 38 staff members and the potential of up to a maximum 300 students at any one time. The business license review by the Department of Finance and Business Services may reduce the number of allowable students based on their evaluation during the licensing process. There are no on-site loading spaces required.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

Although the subject property is surrounded by single family homes, the proposed use will not have an adverse affect on those surrounding properties and can be harmonious with the surrounding land uses and any future land uses.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

The approved site plan will provide sufficient play areas, parking and building facilities to accommodate the students and staff.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Jones Boulevard is a Primary Thoroughfare (100-foot) per the City's Master Planned Streets and Highways that will provide the primary access to the site. Washburn Road is also adequate in size to accommodate traffic entering and leaving the site.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 6

NOTICES MAILED 195 by City Clerk

APPROVALS 0

PROTESTS 0